

# **FISCAL NOTE**

## **SB 2023 - HB 2112**

February 12, 2002

**SUMMARY OF BILL:** Provides notwithstanding any rule or statute to the contrary in a criminal case in which the victim is less than 13 years of age and the defendant is charged with a sexual offense as specified in the bill or any attempt, solicitation, or conspiracy to commit those offenses, evidence of the defendant's prior conviction for another sex offense where the victim was also less than 13 years of age is admissible subject to Rule 403 of the Rules of Evidence.

### **ESTIMATED FISCAL IMPACT:**

#### **Increase State Expenditures - \$268,200/Incarceration\***

Estimate is based upon a review of convictions for sexual offenses where the victims were less than 13 years of age. The details of the cases were reviewed and considered along with the patterns of indictment, pleading and conviction in these types of cases. The offenders with prior sexual offense convictions within the last 10 years and with prior victims that were less than 13 years of age were identified. In 1999, there were 288 indictments for rape of a child and 44 convictions. This estimate assumes the provision regarding evidence will result in one additional conviction of rape of a child (Class A felony) and one additional conviction of aggravated sexual battery (Class B felony) each year.

*\*Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

## **SB 2023 - HB 2112**

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director